

HOUSE BILL NO. 251

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES BERKOWITZ, Cowdery

Introduced: 4/16/97

Referred: Health, Education and Social Services, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to education for children who are deaf or hard of hearing."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 14.30 is amended by adding a new section to read:

4 **Sec. 14.30.282. Education program for deaf or hard of hearing children.**

5 (a) The department shall establish an education program for children who are deaf or
6 hard of hearing. The program required under this subsection shall be designed to
7 improve the education opportunities for a child who is deaf or hard of hearing in all
8 school districts of the state and to achieve the following goals:

9 (1) a recognition that hearing loss involves the most basic of human
10 needs, the ability to communicate with other human beings; many children who are
11 deaf or hard of hearing use, as their primary communication mode, American sign
12 language, while others express and receive language through English-based sign
13 language, or orally and aurally, with or without visual signs or cues; still others,
14 typically young children, lack any significant language skills; children who are deaf
15 or hard of hearing require educational programs that provide appropriate, ongoing, and

1 accessible educational opportunities;

2 (2) placement best suited to the child's individual needs, including
3 social, emotional, cultural, and learning requirements;

4 (3) an education in which the child's unique communication mode is
5 respected, utilized, and developed to an appropriate level of proficiency;

6 (4) an education in which qualified special education teachers,
7 psychologists, speech therapists, assessors, administrators, interpreters, and other
8 personnel understand the unique nature of hearing loss and are specifically trained to
9 work with a child who is deaf or hard of hearing and in which the child's special
10 education teachers or interpreters are proficient in the primary language mode of the
11 child;

12 (5) an education with a sufficient number of peers with whom the child
13 can communicate directly, and who are of the same or approximately the same age and
14 ability level;

15 (6) the assistance of parents and adults who are deaf or hard of hearing
16 in determining the extent, content, and purpose of this program;

17 (7) an outreach program that provides sign language training and
18 assistance, language development, educational opportunities, and other support services
19 to parents of a child who is deaf or hard of hearing, particularly an infant or very
20 young deaf or hard-of-hearing child;

21 (8) direct and appropriate access to all components of the educational
22 process, including recess, lunch, and extracurricular social and athletic activities;

23 (9) programs in which the child's unique vocational, social, emotional,
24 and cultural needs are provided for, including appropriate research, curricula, programs,
25 staff, and outreach;

26 (10) consideration of the unique communication needs of children who
27 are deaf or hard of hearing in determining the least restrictive environment as required
28 under state and federal law;

29 (11) the development of written and other materials, and the provision
30 of workshops, and other procedures to ensure that school districts understand and
31 implement the program.

1 (b) An individualized education program prepared under AS 14.30.278 for an
2 exceptional child that is deaf or hard of hearing shall

3 (1) address the specific communication needs of the child, including

4 (A) the child's individual communication mode and language;

5 (B) use of a sufficient number of age, cognitive, and language
6 peers of similar abilities;

7 (C) appropriate, direct, and ongoing contact with qualified
8 special education teachers, interpreters, and other specialists who are proficient
9 in the child's primary language mode; and

10 (D) language accessible services and activities in school or
11 extracurricular school activities;

12 (2) provide an appropriate placement in a least restrictive environment
13 consistent with (a) of this section;

14 (3) consider program options that provide an equal opportunity for
15 access to communication facilities;

16 (4) inform the child's parents or guardian of all program options in a
17 manner that allows the parents or guardian to make appropriate placement decisions.

18 * **Sec. 2.** AS 14.30.350(2) is amended to read:

19 (2) "children with disabilities" means children with mental retardation;
20 children who are deaf or hard of hearing [IMPAIRMENTS, INCLUDING
21 DEAFNESS]; speech or language impairments; visual impairments, including
22 blindness; serious emotional disturbance; orthopedic impairments; autism; traumatic
23 brain injury; other health impairments; specific learning disabilities; or preschool
24 developmental delays;